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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,153	03/12/2004	Hisayuki Watanabe	9333/370	6782
757	7590	10/09/2007	EXAMINER	
BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			TAKELE, MESEKER	
		ART UNIT	PAPER NUMBER	
		2174		
		MAIL DATE	DELIVERY MODE	
		10/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/800,153	WATANABE, HISAYUKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Meseker Takele	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 06 September 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____.                         |

**DETAILED ACTION**

1. This communication is responsive to the RCE and Amendment filed 09/06/07.
2. Claims 1-20 are pending in this application. Claims 1, 7 and 18 are independent claims. In the instant Amendment, claims 1, 3-5, 7-14, and 17-20 were amended.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Ramaswamy (US Patent No.: 6,423,892).

As to claim 1, Kortum discloses a terminal comprising: a menu screen-obtaining unit for obtaining a menu screen including pieces of link information for potential display on the menu screen (example, pieces of link such as album, songs, channel and artist, see Figure 4 and Figure 9)

a connection status checking unit for checking the connection status of a linked server specified by each piece of link information included within the menu screen (example, internet connection row 101, connection identifier, status indicator, see paragraph [0046] and Figure 1) and

a menu screen display processing unit for displaying, on the menu screen, only pieces of link information that are associated with accessible linked servers based upon the connection status of each linked server checked by the connection status checking unit such that the menu screen does not display pieces of link information obtained by the menu screen obtaining unit corresponding to inaccessible linked servers (example, status connected, see Figure 7 (element 700) and (example, status unavailable, see Figure 8).

However Kortum does not disclose connection status indicating whether the linked server is wirelessly accessible or not from a present location of the terminal.

Ramaswamy from the same field of endeavor disclose, the connection status indicating whether the linked server is wirelessly accessible or not from a present location of the terminal (see abstract and Figure 1 element 14)).

It would have been obvious to one of ordinary skilled in the art to have modified Kortum's connection status checking unit at the time of the invention was made with wireless application protocol network as presented by Ramaswamy.

The motivation to combine to provide a wireless application protocol network in data communication with the Internet a wireless MP3 player having circuitry for establishing data communications with the wireless application protocol network and a display for displaying information generated by the music server.

As to claim 2, the modified Kortum disclose, wherein a process of checking the connection status by the connection status-checking unit is performed in parallel with a display process by the menu screen display-processing unit (example, status, connection, see Figure 1).

6. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Ramaswamy (US Patent No.: 6,423,892) in view of Itoh et al. (US Pub No.: 2003/0100267).

As to claim 3, the modified Kortum disclose, wherein a discrimination mark differs depending upon a level of the connection status and is associated with the corresponding piece of the link information (example, status indicator, different color lights, see paragraph [0051]).

However the modified Kortum does not disclose the level of the connection status indicating the strength of radio waves received by the terminal associated with the linked server, the radio waves carrying image data displayable on a network browser or audio data.

Itoh from the same field of endeavor disclose the level of the connection status indicating the strength of radio waves received by the terminal associated with the linked server, the radio waves carrying image data displayable on a network browser or audio data (example, strength of radio wave, audio data, see paragraph [0435] and [0144]).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status indicating at the time of the invention was made with strength of radio waves as presented by Itoh.

The motivation to combine to provide improved transmission efficiency (or preventing degradation of the transmission efficiency) by accurately recognizing the current receiving quality of the mobile terminal.

As to claim 4, the modified Kortum disclose, wherein a color according to a level of the connection status is applied to the corresponding piece of link information or a portion related thereto (example, connection health indicator is color, see paragraph [0068]).

As to claim 5, while the modified Kortum disclose, wherein the menu screen display-processing unit displaying a piece of link information corresponding to an accessible linked server (see Figure 9).

However the modified Kortum does not disclose it is an indication that music data originating from the accessible linked server is currently wirelessly downloadable to the terminal.

Ramaswamy from the same field of endeavor disclose, that music data originating from the accessible linked server is currently wirelessly downloadable to the terminal (example, and downloading the uploaded MP3 file to the wireless MP3 player, see abstract).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status checking unit at the time of the invention was made with downloading file wirelessly as presented by Ramaswamy.

The motivation to combine to provide a wireless application protocol network in data communication with the Internet, a music server in data connection with the Internet, at least one MP3 content site in data communication with the Internet, and a wireless MP3 player having circuitry for establishing data communications with the wireless application protocol network and a display for displaying information generated by the music server.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Ramaswamy (US Patent No.: 6,423,892) in view of Hashimoto et al. (US Patent No.: 6,999,754).

As to claim 6, the modified Kortum discloses connection status checking unit (see paragraph [0045] and Figure 1).

Art Unit: 2174

However the modified Kortum does not disclose, wherein the terminal is mounted upon a vehicle and the connection status checking unit checks the connection status of the linked server while the vehicle is stopped.

Hashimoto from the same field of endeavor disclose terminal is mounted upon a vehicle (example such as car mounted information device, see abstract) and the connection status checking unit checks the connection status of the linked server while the vehicle is stopped (example, such as present positions see Figure 2).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status indicator at the time of the invention was made with a car-mounted information device as presented by Hashimoto.

The motivation to combine to provide a car-mounted information device which makes it possible to obtain information of the transmitting source and of the receiving end (present positions, destinations, etc.) among vehicles easily and at a low cost, and to realize smooth and comfortable traveling by vehicles.

8. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Hashimoto et al. (US Patent No.: 6,999,754) and in further in view of Ramaswamy (US Patent No.: 6,423,892).

As to claim 7, Kortum discloses, a menu screen obtaining unit for obtaining a menu screen including pieces of link information associated with linked servers interconnected with a network that are potentially accessible by the vehicle mounted terminal (example, internet connection row 101, connection identifier, status indicator, see paragraph [0046] and Figure 1).

a connection status checking unit for checking the current connection status of each linked server specified by the pieces of link information included within the menu screen when a component of the vehicle mounted terminal determines that the connection status of at least one linked server has changed (example, internet connection row 101, connection identifier, status indicator, see paragraph [0046] and Figure 1)

a menu screen display-processing unit for displaying the current connection status of each linked server checked by the connection status-checking unit on the menu screen (example, status indicators read connected when the corresponding Internet connection is active. Similarly, status indicators 104, 114 may also signify whether a corresponding Internet connection is disconnected or unavailable, depending upon its current status, see paragraph [0047]).

However Kortum does not specifically disclose, wherein the terminal is mounted upon a vehicle and the connection status checking unit checks the connection status of the linked server while the vehicle is stopped.

Hashimoto from the same field of endeavor disclose terminal is mounted upon a vehicle (example such as car mounted information device, see abstract).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status indicator at the time of the invention was made with a car-mounted information device as presented by Hashimoto.

The motivation to combine to provide a car-mounted information device which makes it possible to obtain information of the transmitting source and of the receiving end (present positions, destinations, etc.) among vehicles easily and at a low cost, and to realize smooth and comfortable traveling by vehicles.

The modified Kortum further does not disclose connection status indicating whether the linked server is wirelessly accessible or not by the vehicle mounted terminal.

Ramaswamy from the same field of endeavor disclose, that music data originating from the accessible linked server is currently wirelessly downloadable to the terminal (example, and downloading the uploaded MP3 file to the wireless MP3 player, see abstract).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status checking unit at the time of the invention was made with downloading file wirelessly as presented by Ramaswamy.

The motivation to combine to provide a wireless application protocol network in data communication with the Internet, a music server in data connection with the Internet, at least one MP3 content site in data communication with the Internet, and a wireless MP3 player having circuitry for establishing data communications with the wireless application protocol network and a display for displaying information generated by the music server.

As to claim 8, the modified Kortum disclose linked servers (see Figure 4).

However the modified Kortum does not disclose wherein the connection status of the at least one linked server is determined to have changed by a vehicle speed determining unit of the vehicle mounted terminal when the speed of the vehicle changes and crosses a predetermined value.

Hashimoto from the same field of endeavor disclose wherein the connection status of the linked server changes when the speed of the vehicle changes and crosses a predetermined value (example, such as speed data, see Figure 15).

It would have been obvious to one of ordinary skilled in the art to modify Kortum's connection status indicator with speed data as presented by Hashimoto.

The motivation to combine involves getting various information on a real time basis from movable or fixed type terminals.

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Hashimoto et al. (US Patent No.: 6,999,754) and Ramaswamy (US Patent No.: 6,423,892) and in further in view of Itoh et al. (US Pub No.: 2003/0100267).

As to claim 9, while the modified Kortum discloses communication processing unit, the modified Kortum does not disclose a communication processing unit for receiving image and/or audio information transmitted from the at least one linked server through radio waves,

Itoh from the same field of endeavor disclose a communication processing unit for receiving image and/or audio information transmitted from the at least one linked server through radio waves (example, radio wave, audio data, see paragraph [0435] and [0144]).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status indicating at the time of the invention was made with radio waves as presented by Itoh.

The motivation to combine to provide improve transmission efficiency (or preventing degradation of the transmission efficiency) by accurately recognizing the current receiving quality of the mobile terminal.

While the modified Kortum discloses a connection status of the linked server and communication processing unit (see paragraph [0047],

The modified Kortum does not specifically disclose wherein the connection status of the linked server changes when the electric field strength of the radio waves carrying the image and/or audio information received by communication processing unit is determined to have changed and crossed a predetermined reference value by an electric-field strength-determining unit of the vehicle mounted terminal.

Itoh from the same field of endeavor disclose wherein the connection status of the linked server changes when the electric field strength of the radio waves carrying the image and/or audio information received by communication processing unit is determined to have changed and crossed a predetermined reference value by an electric-field strength determining unit of the vehicle mounted terminal (example, such as transmission path characteristic varies suddenly in such a case as, e.g., the user of the mobile terminal 1 moving at a high speed in a train or the like, see paragraph [0165] and [0166]).

The motivation to combine enables to improve transmission efficiency (or preventing degradation of the transmission efficiency) by accurately recognizing the current receiving quality of the mobile terminal.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Hashimoto et al. (US Patent No.: 6,999,754) and in further in view of Ramaswamy (US Patent No.: 6,423,892).

As to claim 10, the modified Kortum discloses, a communication medium determining unit for determining the change of (1) a change of a communication medium (example, internet connection row 101, connection identifier, status indicator, see paragraph [0046] and [0047]

However the modified Kortum does not disclose a communications mode, the change of communication medium comprising a change between a wireless Local Area Network (LAN) and a mobile telephone data is wirelessly received by the vehicle mounted terminal, and a change of communication bands by which data is wirelessly received by the vehicle mounted terminal.

Ramaswamy from the same field of endeavor disclose a communications mode, the change of communication medium comprising a change between a wireless Local Area Network (LAN) and a mobile telephone data is wirelessly received by the vehicle mounted terminal, and a change of communication bands by which data is wirelessly received by the vehicle mounted terminal (see abstract and Figure 1 element 14)

It would have been obvious to one of ordinary skilled in the art to have modified Kortum's connection status checking unit at the time of the invention was made with wireless application protocol network as presented by Ramaswamy.

The motivation to combine to provide a wireless application protocol network in data communication with the Internet a wireless MP3 player having circuitry for establishing data communications with the wireless application protocol network and a display for displaying information generated by the music server.

The modified Kortum discloses, wherein the connection status of the at least one linked server is determined to have changed when the communication medium determining unit determines that the communication medium or communications mode has changed. (see paragraph [0047]).

11. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Hashimoto et al. (US Patent No.: 6,999,754) and in further in view of and Ramaswamy (US Patent No.: 6,423,892).

As to claim 11, the modified Kortum does not discloses a geographic condition determining unit for determining geographic conditions of a driving location of the vehicle upon which the vehicle mounted terminal is mounted, the geographic conditions of the driving location determinable by the geographic condition determining unit include identified high-rise areas, low-rise residential areas, or mountainous areas, wherein the connection status of the at least one linked server changes when the geographic conditions determined by the geographic condition determining unit change.

Hashimoto discloses a geographic condition determining unit for determining geographic conditions of a driving location of the vehicle upon which the vehicle mounted terminal is mounted, the geographic conditions of the driving location determinable by the geographic condition determining unit include identified high-rise areas, low-rise residential areas, or mountainous areas, wherein the connection status of the at least one linked server changes when the geographic conditions determined by the geographic condition determining unit change (example, predetermined geographical conditions, the present position of the transmitting source and the present position of the receiving end may be limited , see claim 11 and col., 7 lines, 39-41).

12. Claims 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Hashimoto et al. (US Patent No.: 6,999,754) and

Ramaswamy (US Patent No.: 6,423,892) and in further in view of Nakano et al. (US Pub No.: 2002/0128768).

As to claim 12, the modified Kortum does not disclose a road determining unit for determining the type of road on which a vehicle, on which the vehicle mounted terminal is mounted, is running, types of road determinable by the road determining unit including expressways, highways, or other types of road, wherein the connection status of the at least one linked server is determined to have changed when the type of road determined by the road determining unit changes.

Nakano from the same field of endeavor disclose a road determining unit for determining the type of road on which a vehicle, on which the vehicle mounted terminal is mounted, is running, types of road determinable by the road determining unit including expressways, highways, or other types of road, wherein the connection status of the at least one linked server is determined to have changed when the type of road determined by the road determining unit changes (example, road type such as, the name of the road is changed are set as guide points, detailed information about road shapes, road network data including not only the recommended road but also the other roads, etc, see abstract).

It would have been obvious to one of ordinary skill in the art to have modified Kortum's connection status with roads by type as presented by Nakano.

The motivation to combine to provide a route guide information-distributing system enabling an information center to sufficiently collect information about a path traveled.

As to claim 13, the modified Kortum discuses a communication status determining unit for determining communication status the communication status indicating a level of signal reception for a potentially accessible linked server (see, paragraph [0047]).

However the modified Kortum does not disclose a communication status history storing unit for storing the history of the determined communication status wherein the connection status of the at least one linked server is determined to have changed when the past communication status corresponding to the driving location of a vehicle is determined to be unfavorable based upon the communication status history stored within the communication status history storing unit.

Nakano from the same field of endeavor disclose, a communication status history storing unit for storing the history of the determined communication status wherein the connection status of the at least one linked server is determined to have changed when the past communication status corresponding to the driving location of a vehicle is determined to be unfavorable based upon the communication status history stored within the communication status history storing unit (example, data stored, see paragraph [0004] and [0005]).

It would have been obvious to one of ordinary skill in the art to modify the modified Kortum's connection status with storage medium as presented by Nakano.

The motivation to combine to provide reading cartographic files from an internal storage device in which the cartographic files are stored as digital data generated about individual units defined by dividing a map into a plurality of regions.

As to claim 14, the modified Kortum disclose, wherein the menu screen has displayable area larger than a display, and the connection status checking unit checks the connection status of

each piece of link information included within the entire menu screen which can be selectively displayed in the display by scrolling or page change (example, 208(scroll bar), see Figure 8).

As to claim 15, the modified Kortum disclose, further comprising a function of a computer, which can be connected to the Internet, wherein the menu screen obtaining unit receives the menu screen through the Internet (example, internet connection, see page 2, paragraph [0032] line, 5).

As to claim 16, the modified Kortum disclose, wherein information transmitted from the linked server includes music data (example, music, see abstract and Figure 8).

As to claim 17, the modified Kortum does not disclose a function of a receiver for receiving information distributed from a broadcast station, wherein the menu screen-obtaining unit retrieves the menu screen stored within a storage device incorporated in the receiver, the receiver being located on a vehicle.

Nakano from the same field of endeavor disclose, a function of a receiver for receiving information distributed from a broadcast station, wherein the menu screen obtaining unit retrieves the menu screen stored within a storage device incorporated in the receiver, the receiver being located on a vehicle (example, communications unit for transmitting and receiving data from and to the terminal, paragraph [0011] and [0023]).

It would have been obvious to one of ordinary skill in the art to have modified Kortum's connection status with information receiving unit as presented by Nakano.

The motivation to combine involves getting various information on a real time basis from movable or fixed type terminals.

13. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kortum (US Pub No.: 2003/0079028) in view of Hashimoto et al. (US Patent No.: 6,999,754) in view of Itoh et al. (US Pub No.: 2003/0100267).

As to claim 18, Kortum disclose, method for displaying a menu screen, comprising: displaying a menu screen on a terminal mounted on a vehicle, the menu screen including pieces of link information associated with potentially accessible linked servers (example, pieces of link such as album, songs, channel and artist, see Figure 4 and Figure 9).

However Kortum does not specifically disclose, wherein the terminal is mounted upon a vehicle and the connection status checking unit checks the connection status of the linked server while the vehicle is stopped.

Hashimoto from the same field of endeavor disclose terminal is mounted upon a vehicle (example such as car mounted information device, see abstract).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status indicator at the time of the invention was made with a car-mounted information device as presented by Hashimoto.

While Kortum discloses checking a current connection status of each potentially accessible linked server specified by the pieces of link information included within the menu screen, Kortum does not disclose when (1) the vehicle is traveling and (2) the terminal automatically determines that a predetermined condition that is a function of driving state and/or driving location of the vehicle has been satisfied.

Hashimoto from the same field of endeavor disclose (1) the vehicle is traveling and (2) the terminal automatically determines that a predetermined condition that is a function of driving

Art Unit: 2174

state and/or driving location of the vehicle has been satisfied (When the signal is received by the vehicle 12 having the same device constitution, a radio circuit is established between the vehicle 11 and the vehicle 12 that are traveling to directly connect them together through a mobile communication network, see Figure 2 and col., 3 lines, 20-30.

The modified Kortum further does not discloses the current connection status indicating whether radio waves carrying image and/or audio data originating from a corresponding potentially accessible linked server are currently wirelessly accessible or not by the terminal.

Itoh from the same field of endeavor disclose the level of the connection status indicating the strength of radio waves received by the terminal associated with the linked server, the radio waves carrying image data displayable on a network browser or audio data (example, strength of radio wave, audio data, see paragraph [0435] and [0144]).

It would have been obvious to one of ordinary skilled in the art to have modified the modified Kortum's connection status indicating at the time of the invention was made with strength of radio waves as presented by Itoh.

The motivation to combine to provide improve transmission efficiency (or preventing degradation of the transmission efficiency) by accurately recognizing the current receiving quality of the mobile terminal.

The modified Kortum discloses reflecting on the menu screen the checked current connection status of the potentially accessible linked servers in relation to corresponding pieces of link information\_(example, pieces of link such as album, songs, channel and artist, see Figure 4 and Figure 9).

As to claim 19, the modified Kortum disclose, wherein the predetermined condition is determined to be satisfied by the terminal when a connection status of any potentially accessible linked server changes (see, paragraph [0056] and Figure 3).

As to claim 20, the modified Kortum disclose, wherein information transmitted from an accessible linked server includes music data and the predetermined condition is determined to be repeatedly satisfied by the terminal whenever another timing interval has elapsed (see, paragraph [0050], [0047], [0057] and Figure 2).

### ***Response to Arguments***

14. Applicant's arguments with respect to the amended claims 1 and 2 have been fully considered but they are not persuasive.

Applicant argues that:

- (a) the cited portions of Kortum et al. and Ramaswamy, do not disclose obtaining a menu screen that includes pieces of link information for potential display on the menu screen; and
- (b) the cited portions of Kortum et al. and Ramaswamy do not teach displaying only pieces of link information associated with linked servers that are currently accessible,
- (c) the cited portions of Kortum et al. and Ramaswamy does not disclose the user cannot perform inefficient access operations on pieces of link information associated with linked servers determined to be currently inaccessible
- (d) Kortum et al. does not disclose performing checking a connection status in parallel with a display process.

The Examiner disagrees for the following reasons.

Per (a), Kortum discloses a menu screen-obtaining unit for obtaining a menu screen including pieces of link information for potential display on the menu screen (example, subscriber is connected to a music video service, pieces of link such as album, songs, channel and artist, see Figure 4 and Figure 9).

Per (b), Kortum discloses displaying only pieces of link information associated with linked servers that are currently accessible (example, status connected, see Figure 7 (element 700).

(c) the cited portions of Kortum et al. discloses the user cannot perform inefficient access operations on pieces of link information associated with linked servers determined to be currently inaccessible (example, status unavailable, see Figure 8).

(d) Kortum et al. disclose performing checking a connection status in parallel with a display process (example, status identifier and indicator, display, see paragraph [0046] and [0032].

15. All other arguments are moot in view of the new ground(s) of rejection.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meseker Takele whose telephone number is (571) 270-1653. The examiner can normally be reached on Monday - Friday 7:30AM- 5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT

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